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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,492	02/23/2004	Kyle Marvin	BEAS-01445US1	2152

23910   7590   03/25/2008
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EXAMINER
KISS, ERIC B

ART UNIT	PAPER NUMBER
2192	

MAIL DATE	DELIVERY MODE
03/25/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/784,492	MARVIN ET AL.
	Examiner	Art Unit	
	Eric B. Kiss	2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>18 December 2007</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-13,15-27,29-39,41,42 and 45-47</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-13,15-27,29-39,41,42 and 45-47</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>07 September 2007</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>20070921 (x2), 20071218</u>.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)   **Office Action Summary**   Part of Paper No./Mail Date 20080314

DETAILED ACTION

1.   The reply filed December 17, 2007, has been received and entered. Claims 1-13, 15-27,

29-39, 41, 42, and 45-47 are pending.

Information Disclosure Statement

2.   The information disclosure statement filed September 21, 2007, fails to comply with 37

CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-

patent literature publication or that portion which caused it to be listed; and all other information

or that portion which caused it to be listed. Specifically, no copies of the non-patent literature

documents numbered 108-115 (and the two unnumbered documents following 115) have been

received. It has been placed in the application file, but the information referred to therein has not

been considered.

3.   The information disclosure statement filed September 21, 2007, further fails to comply

with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because each publication listed in an

information disclosure statement must be identified by publisher, author (if any), title, <u>relevant</u>

<u>pages of the publication</u>, date, and place of publication. It has been placed in the application file,

but the information referred to therein has not been considered as to the merits.

4.   Applicant is advised that the date of any re-submission of any item of information

contained in this information disclosure statement or the submission of any missing element(s)

will be the date of submission for purposes of determining compliance with the requirements

based on the time of filing the statement, including all certification requirements for statements

under 37 CFR 1.97(e). See MPEP § 609.05(a).

Response to Amendment

5.   The objection to the drawings is withdrawn in view of the replacement sheets filed

September 7, 2007.

6.   The objection to the Abstract is maintained.

7.   The rejection of claims 1-13, 15-27, 29-39, 41, and 42 under 35 U.S.C. § 101 is

maintained. Additionally, new claims 45-47 are rejected under § 101 as set forth below.

8.   The rejection of claims 6 and 11-13 under 35 U.S.C. § 112, second paragraph, is

maintained.

Response to Arguments

9.   Applicant's arguments filed September 7, 2007, have been fully considered but they are

not persuasive.

        Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a

general allegation that the claims define a patentable invention without specifically pointing out

how the language of the claims patentably distinguishes them from the references.

Specification

10.   Applicant is reminded of the proper content, language, and format for an abstract of the
disclosure.

        A patent abstract is a concise statement of the technical disclosure of the patent and
should include that which is new in the art to which the invention pertains. If the patent is of a
basic nature, the entire technical disclosure may be new in the art, and the abstract should be
directed to the entire disclosure. If the patent is in the nature of an improvement in an old
apparatus, process, product, or composition, the abstract should include the technical disclosure
of the improvement. In certain patents, particularly those for compounds and compositions,
wherein the process for making and/or the use thereof are not obvious, the abstract should set
forth a process for making and/or use thereof. If the new technical disclosure involves
modifications or alternatives, the abstract should mention by way of example the preferred
modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:
(1) if a machine or apparatus, its organization and operation;
(2) if an article, its method of making;
(3) if a chemical compound, its identity and use;
(4) if a mixture, its ingredients;
(5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

11.   The abstract of the disclosure is objected to because of the use of legal phraseology,

references to the purported merits and speculative applications of the invention, and comparisons

with the prior art. Correction is required. See MPEP § 608.01(b). The examiner suggests

deleting the last two sentences of the abstract.

Claim Rejections - 35 USC § 101

12.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

13.   Claims 1-13, 15-27, 29-39, 41, 42, and 45-47 are rejected under 35 U.S.C. 101 because

the claimed invention is directed to non-statutory subject matter.

Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." In this context, "functional descriptive material" consists of data structures and computer programs which impart functionality when employed as a computer component. (The definition of "data structure" is "a physical or logical relationship among data elements, designed to support specific data manipulation functions." The New IEEE Standard Dictionary of Electrical and Electronics Terms 308 (5th ed. 1993).) "Nonfunctional descriptive material" includes but is not limited to music, literary works and a compilation or mere arrangement of data. Both types of "descriptive material" are nonstatutory when claimed as descriptive material *per se*. *In re Warmerdam*, 33 F.3d 1354, 1361, 31 USPQ2d 1754, 1760 (claim to a data structure per se held nonstatutory).

Data structures not claimed as embodied in computer-readable media are descriptive material *per se* and are not statutory because they are not capable of causing functional change in the computer. *See, e.g., In re Warmerdam*, 33 F.3d 1354, 1361, 31 USPQ2d 1754, 1760 (claim to a data structure per se held nonstatutory). Such claimed data structures do not define any structural and functional interrelationships between the data structure and other claimed aspects of the invention which permit the data structure's functionality to be realized. In contrast, a claimed computer-readable medium encoded with a data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory.

Similarly, computer programs claimed as computer listings per se, *i.e.*, the descriptions or expressions of the programs, are not physical "things." They are neither computer components nor statutory processes, as they are not "acts" being performed. Such claimed computer

programs do not define any structural and functional interrelationships between the computer

program and other claimed elements of a computer which permit the computer program's

functionality to be realized. In contrast, a claimed computer-readable medium encoded with a

computer program is a computer element which defines structural and functional

interrelationships between the computer program and the rest of the computer which permit the

computer program's functionality to be realized, and is thus statutory. *See In re Lowry*, 32 F.3d

1579, 1583-84, 32 USPQ2d 1031, 1035.

Claim 1-13, 15-18, and 45 recite a "computer-enabled system" comprising a series of

elements that can be reasonably interpreted as software, *per se*. The claim does not define any

structural and functional interrelationships between the software elements and a computer that

would permit the described functionality to be realized when the software is employed as a

computer component, nor does the addition of the label "computer-enabled" imply that any

computer hardware forms a necessary part of the claim. Accordingly, claims 1-13, 15-18, and 45

appear to merely set forth non-functional descriptive material *per se*, which is nonstatutory.

A claim that requires one or more acts to be performed defines a process. However, not

all processes are statutory under 35 U.S.C. § 101. To be statutory, a claimed process must either:

(A) result in a physical transformation for which a practical application is either disclosed in the

specification or would have been known to a skilled artisan, or (B) be limited to a practical

application which produces a useful, tangible, and concrete result. *See Diamond v. Diehr*, 450

U.S. 175, 183-84, 209 USPQ 1, 9 (1981) (quoting *Cochrane v. Deener*, 94 U.S. 780, 787-88

(1876)) ("A [statutory] process is a mode of treatment of certain materials to produce a given

result. It is an act, or a series of acts, performed upon the subject-matter to be transformed and

reduced to a different state or thing . . . . The process requires that certain things should be done

with certain substances, and in a certain order; but the tools to be used in doing this may be of

secondary consequence."). *See also In re Alappat*, 33 F.3d 1526, 1543, 31 USPQ2d 1545, 1556-

57 (quoting *Diehr*, 450 U.S. at 192, [209 USPQ at 10]).

In *State Street*, the Federal Circuit examined some of its prior section 101 cases,

observing that the claimed inventions in those cases were each for a "practical application of an

abstract idea" because the elements of the invention operated to produce a "useful, concrete and

tangible result." *State St. Bank & Trust v. Signature Fin. Group*, 149 F.3d 1368, 1373-74, 47

USPQ2d 1596, 1601-02 (Fed Cir. 1998). For example, the court in *State Street* noted that the

claimed invention in *Alappat* "constituted a practical application of an abstract idea (a

mathematical algorithm, formula, or calculation), because it produced 'a useful, concrete and

tangible result'—the smooth waveform." *Id.* Similarly, the claimed invention in *Arrhythmia*

"constituted a practical application of an abstract idea (a mathematical algorithm, formula, or

calculation), because it corresponded to a useful, concrete and tangible thing—the condition of a

patient's heart." *Id.* (citing *Arrhythmia Research Tech. V. Corazonix Corp.*, 958 F.2d 1053, 22

USPQ2d 1033 (Fed. Cir. 1992)).

In determining whether the claim is for a "practical application," the focus is not on

whether the steps taken to achieve a particular result are useful, tangible and concrete, but rather

that the final <u>result</u> is "useful, tangible and concrete." The Federal Circuit further ruled that it is

of little relevance whether a claim is directed to a machine or process for the purpose of a § 101

analysis. *AT&T Corp. v. Excel Commc'ns*, 172 F.3d 1352, 1358, 50 USPQ2d 1447, 1451 (Fed. Cir. 1999).

Claims 1-13, 15-18, and 45 set forth systems comprising elements merely described as being "capable of" carrying out functions. Since the claim language appears to make all of the functional steps optional, claims 1-13, 15-18, and 45 do not necessarily produce any useful, tangible, and concrete result necessary to achieve a practical application. Accordingly, claims 1-13, 15-18, and 45 are nonstatutory.

Claims 19-27, 29-39, 41, 42, 46, and 47 are directed to methods (claims 19-27, 29, 30, and 46) and machine-readable media (claims 31-39, 41, 42, and 47) for "exposing" program logic, providing a "service", and generating a "mechanism", a "security type", and/or an "interceptor" (specified in optional language, *i.e.*, "can include . . .", "can be applied . . .", "capable of allowing . . ."). This claimed subject matter lacks a practical application of a judicial exception (law of nature, abstract idea, naturally occurring article/ phenomenon) since it fails to produce a useful, concrete and tangible result. Specifically, the claimed subject matter does not produce a <u>tangible</u> result because the claimed subject matter fails to produce a result that is limited to having real world value rather than a result that may be interpreted to be abstract in nature as, for example, a thought, a computation, or manipulated data. More specifically, the claimed subject matter describes at best the performing of a process that is not tied to any particular tangible output causing any useful functional or structural change in a computer system so as to achieve a practical application. This produced result remains in the abstract and, thus, fails to achieve the required status of having real world value.

14.   To expedite a complete examination of the instant application, the claims rejected under

35 U.S.C. §101 (non-statutory) above are further rejected as set forth below in anticipation of

Applicant amending these claims to place them within the four statutory categories of invention.

Claim Rejections - 35 USC § 112

15.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

16.   Claims 6 and 11-13 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

Claims 6 contains the trademark JAVA. Where a trademark or trade name is used in a

claim as a limitation to identify or describe a particular material or product, the claim does not

comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218

USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name

cannot be used properly to identify any particular material or product. A trademark or trade

name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or

trade name does not identify or describe the goods associated with the trademark or trade name.

In the present case, the trademark/trade name is used to identify/describe particular programming

languages and, accordingly, the identification/description is indefinite.

Claims 11-13 formerly contained the trademarks ENTERPRISE JAVABEANS and EJB.

While applicant's amendments have removed the explicitly recited trademarks from claims 11-

13, applicant has retained the capitalized term "Enterprise", suggesting that the new claim

language is merely a short-hand notation for the explicit trademarks ENTERPRISE

JAVABEANS and EJB rather than being merely otherwise acceptable generic language.

Accordingly, claims 11-13 are still considered indefinite as implicitly containing trademarks

used to identify/describe particular component architectures.

Claim Rejections - 35 USC § 103

17.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

18.   Claims 1-13, 15-27, 29-39, 41, 42, and 45-47 are rejected under 35 U.S.C. 103(a) as

being unpatentable over US 2003/0005181 A1 (BAU, III, et al.) in view of US 2002/0174241 A1

(BEGED-DOV et al.).

        As per claim 1, *BAU, III, et al.* discloses a system to provide a network-accessible

service, comprising: an annotated source code, which is a programming language augmented

with declarative meta-data capable of exposing program logic as a network-accessible service

(see, for example, paragraph [0026] on p. 2);

        at least one deployed service component capable of providing the network-accessible

service to a client (see, for example, paragraph [0026] on p. 2); and

        an enhanced compiler capable of analyzing the annotated source code, recognizing

numerous types of meta-data annotations, and generating a mechanism, which can include one or

more of: object files, software components and deployment descriptors, to facilitate the

deployment of the at least one service component (see, for example, paragraph [0026] on p. 2).

   BAU, III, et al. fails to expressly disclose implementing such a security type. However,

BEGED-DOV et al. teaches such security types (for example, user identity…) in the context of

web services (see, for example, paragraph [0019] on p. 3). Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to incorporate such

a security type as per the teachings of *BEGED-DOV et al.* One would be motivated to do so to

mitigate risk by providing a known security mechanism (see, for example, *BEGED-DOV et al.*,

paragraph [0019] on p. 3).

   As per claim 2, *BAU, III, et al.* further discloses the network-accessible service is a Web

service (see, for example, paragraph [0026] on p. 2).

   As per claim 3, *BAU, III, et al.* further discloses the system is capable of simultaneously

managing multiple transactions, wherein each transaction can be a conversation of a request

and/or a response from the client for the network-accessible service (see, for example,

paragraphs [0045] through [0056] on pp. 4-5).

   As per claim 4, *BAU, III, et al.* further discloses the system is capable of managing

multiple asynchronous transactions, wherein within each asynchronous transaction, the response

may be temporally separated from the initiating request for the network-accessible service from

the client (see, for example, paragraphs [0045] through [0056] on pp. 4-5).

   As per claim 5, *BAU, III, et al.* further discloses an integrated development environment

(IDE) capable of facilitating a graphical interface-based design and deployment of the network-

accessible service (see, for example, paragraph [0026] on p. 2).

   As per claim 6, *BAU, III, et al.* further discloses the annotated source code is Java-based

(see, for example, paragraph [0079] on p. 6).

As per claim 7, *BAU, III, et al.* further discloses the meta-data can be either in-file with the annotated source code, or in a separate file, which can be a specially formatted XML file (see, for example, paragraph [0043] on p. 4).

As per claim 8, *BAU, III, et al.* further discloses the annotated source code is capable of facilitating access to an external service, which can be one of stateful, stateless, synchronous, and asynchronous (see, for example, paragraphs [0068] and [0069] on p. 5).

As per claim 9, *BAU, III, et al.* further discloses the annotated source code is capable of defining a wire binding between the network-accessible service and a physical wire format and/or protocol (see, for example, paragraphs [0058] and [0059] on p. 5).

As per claim 10, *BAU, III, et al.* further discloses the wire binding can be at least one of: SOAP over HTTP or SMTP; transport of XML via generic HTTP Post; transport of XML over other protocols such as FTP and mail; and transport of XML over messaging services such as JMS or MSMQ (see, for example, paragraphs [0058] and [0059] on p. 5).

As per claim 11, *BAU, III, et al.* further discloses the at least one service component comprises a servlet container and an Enterprise Java Bean (EJB) container, which are coupled together to deploy a Web service (see, for example, paragraphs [0085] and [0086] on p. 7).

As per claim 12, *BAU, III, et al.* further discloses the servlet container is capable of at least one of: listening and responding to a service request from the client; and identifying and queuing the service request to be buffered (see, for example, paragraphs [0085] and [0086] on p. 7).

As per claim 13, *BAU, III, et al.* further discloses the EJB container is capable of
dispatching a service request based on meta-data to a stateless or stateful component (see, for
example, paragraphs [0085] and [0086] on p. 7).

Regarding claim 15, see the disclosure and teachings applied above to claim 1.

As per claim 16, *BAU, III, et al.* further discloses the enhanced compiler is capable of
creating reliable messaging software for the network-accessible service using a specification
provided by the annotated source code, wherein the reliable message software is capable of
guaranteeing message delivery for communication between the service and the client (see, for
example, paragraphs [0007] and [0008] on p. 1).

Regarding claims 17 and 18, in addition to the disclosure applied above, *BAU, III, et al.*
fails to expressly disclose implementing such an interceptor. However, *BEGED-DOV et al.*
teaches such an interceptor (for example, interception and transformation...) in the context of
web services (see, for example, paragraphs [0018] through [0020] on pp. 2-3). Therefore, it
would have been obvious to one of ordinary skill in the art at the time the invention was made to
incorporate such an interceptor as per the teachings of *BEGED-DOV et al.* One would be
motivated to do so to efficiently implement a secure transfer of resources (see, for example,
paragraphs [0018] through [0020] on pp. 2-3).

Regarding claims 19-27, 29, and 30, these are method versions of the claimed system
discussed above (claims 1-5, 8, 9, 12-14, 16, and 17), wherein all limitations have been
addressed as set forth above.

Regarding claims 31-39, 41, and 42, these are machine-readable medium versions of the
claimed system discussed above (claims 1-5, 8, 9, 12-14, 16, and 17). *BAU, III, et al.* further

discloses the use of such media (see, for example, paragraph [0096] on p. 8), and all other limitations have been addressed as set forth above.

As per claim 45, *BAU, III, et al.* discloses a system to provide a network-accessible service, comprising: an annotated source code, which is a programming language augmented with declarative meta-data capable of exposing program logic as a network-accessible service (see, for example, paragraph [0026] on p. 2);

at least one deployed service component capable of providing the network-accessible service to a client (see, for example, paragraph [0026] on p. 2); and

an enhanced compiler capable of analyzing the annotated source code, recognizing numerous types of meta-data annotations, and generating a mechanism, which can include one or more of: object files, software components and deployment descriptors, to facilitate the deployment of the at least one service component (see, for example, paragraph [0026] on p. 2).

BAU, III, et al. fails to expressly disclose implementing such an interceptor. However, *BEGED-DOV et al.* teaches such an interceptor (for example, interception and transformation...) in the context of web services (see, for example, paragraphs [0018] through [0020] on pp. 2-3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate such an interceptor as per the teachings of *BEGED-DOV et al.* One would be motivated to do so to efficiently implement a secure transfer of resources (see, for example, paragraphs [0018] through [0020] on pp. 2-3).

Regarding claim 46, this is a method version of the claimed system discussed above (claim 45), wherein all limitations have been addressed as set forth above.

Regarding claim 47, this is a machine-readable medium version of the claimed system

discussed above (claim 45). *BAU, III, et al.* further discloses the use of such media (see, for

example, paragraph [0096] on p. 8), and all other limitations have been addressed as set forth

above.

Conclusion

19.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

20.   Any inquiry concerning this communication or earlier communications from the

Examiner should be directed to Eric B. Kiss whose telephone number is (571) 272-3699. The

Examiner can normally be reached on Tue. - Fri., 7:00 am - 4:30 pm. The Examiner can also be

reached on alternate Mondays.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Tuan Dam, can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature should be directed to the TC 2100 Group receptionist: 571-272-2100.

/Eric B. Kiss/
Eric B. Kiss
Primary Examiner, Art Unit 2192